

**MATERIALS SOURCES
ENVIRONMENTAL DETERMINATION
COMPLETION GUIDELINES
AND FORMAT**



Arizona Department of Transportation

Environmental Planning Group

INTEROFFICE MEMO

FOR MATERIALS SOURCES ON BLM LANDS ONLY

To: STEVE THOMAS
Federal Highway Administration

Date:

From: RICHARD M. DUARTE
Manager

Subject: Environmental Determination
Materials Source #

The Environmental Planning Group reviewed this materials source, and it meets the criteria of a Group Two, Categorical Exclusion, in accordance with 23CFR771.117d, and the Arizona Programmatic Categorical Exclusion.

In accordance with 23CFR771.129c, the Environmental Planning Group shall be consulted to determine whether this Categorical Exclusion remains valid for the referenced materials source prior to approvals.

If there is a change in materials source limits or if work is to be added outside of the original materials source limits, the Environmental Planning Group (contact Christine Christmas 480.733.6666 ext. 130) must be contacted to evaluate potential impacts.

This action constitutes environmental approval.

Attached are two copies of the environmental determination (ED) for Materials Source _____ to be distributed to the resident engineer prior to the beginning of any project utilizing this materials source.

Please include the following mitigation measure(s) in the project specifications:

- **List applicable mitigation here.**

RMD:epg planner initials:on-call planner initials

Attachment(s)

(**No effect** Biological Determination attached)

c: On-Call Consultant



Arizona Department of Transportation

Environmental Planning Group

INTEROFFICE MEMO

To: RANDY VULETICH
Materials Section

Date:

From: RICHARD M. DUARTE
Manager

Subject: Environmental Determination
Materials Source #

This materials source has been reviewed by the Environmental Planning Group in accordance with the *Action Plan of the Arizona Department of Transportation for State-Funded Projects*. This action constitutes environmental approval.

Attached are two copies of the environmental determination (ED) for Materials Source #_____ to be distributed to the resident engineer prior to the beginning of any project utilizing this materials source.

If there is a change in materials source limits or work is to be added outside of the original materials source limits, ADOT's Environmental Planning Group (contact Christine Christmas, 480.733.6666 ext. 130) must be contacted to evaluate potential impacts.

Please include the following mitigation measure(s) in the project specifications: (if applicable)

- **List applicable mitigation here.**

RMD:epg planner initials:on-call planner initials

Attachment

c: On-Call Consultant

ARIZONA DEPARTMENT OF TRANSPORTATION

Environmental Planning Group

Materials Sources Environmental Determination

Materials Source Number: _____

Materials Source Name: (if available) _____

Materials Source Location: _____ Section, Township, Range, Gila and Salt River Baseline and Meridian
(location in relationship to the nearest highway, town, County, AZ). _____

I. PROJECT DESCRIPTION

HEADINGS ONLY

II. IMPACT EVALUATION

A. Natural Environment

1. Threatened and Endangered Species
2. Sensitive Species
3. Tribal Lands
4. Arizona Species of Concern
 - a. Special Status Species
 - b. Native Plants
5. Invasive Species
6. Wetland and Riparian Areas
7. 100-Year Floodplain and Impacts
8. Section 401/404
9. Parks, Recreation Areas, and Refuges
10. Visual Impacts
11. Prime or Unique Farmlands
12. Wild and Scenic Rivers
13. Sole Source Aquifers (only when federally funded and in Tucson/Naco-Bisbee areas)

B. Physical/Construction

1. Noise Impacts
2. Air Quality Impacts
3. Construction-Related Impacts
4. Hazardous Materials Evaluation
5. Arizona/National Pollutant Discharge Elimination System

HEADINGS ONLY

C. Socioeconomic

1. Residential/Commercial Development and Displacement(s)
2. Temporary and Permanent Access
3. Neighborhood Continuity
4. Title V / Environmental Justice

D. Cultural Resources

1. Survey Data
2. Archaeological/Historical Sites
3. Agency/SHPO Determination
4. Mitigation Measures

III. PUBLIC INVOLVEMENT

A. Agency Coordination

B. Public Coordination

C. Public Meetings

IV. ACTION REQUIRED

Bureau of Land Management Project: Categorical Exclusion Group 2 ____
Programmatic ____
Non-Programmatic ____

State Funded Project: Environmental Clearance ____

V. MITIGATION MEASURES

VI. CLEARANCE

Prepared By: Original Signature* Date: _____
Type Name of Preparer
Type Name of Firm or Agency

Reviewed By: Original Signature* Date: _____
Type Name of Consultant Project Manager
Type Name of Firm or Agency

Approved By: Signature Date: _____
Richard M. Duarte
Manager

VI. ATTACHMENTS

- State and vicinity maps (**place maps up front after Project Description page**)
- Attachments can include, but are not limited to:
 - Agency correspondence (cultural clearance, Arizona Game and Fish Department, etc,)
 - Mitigation Plan
 - Agency and public response letters
 - BA&E signature page or concurrence letter
 - BE signature page
- Project diagrams and illustrations

ARIZONA DEPARTMENT OF TRANSPORTATION

Environmental Planning Group

Materials Sources Environmental Determination

Materials Source Number: _____

Materials Source Name: (If available) _____

Materials Source Location: Section, Township, Range, Gila and Salt River Baseline and Meridian (location in relationship to the nearest highway, town, County, AZ.). _____

I. PROJECT DESCRIPTION

- A. The Arizona Department of Transportation (ADOT) proposes to process and stockpile borrow material and/or aggregate base material at an existing or new materials source #____.
- B. Location: Quarter, Section, Township, Range, Base and Meridian. Location of materials source in relationship to nearest highway, town, County, Arizona.
- C. Purpose: The purpose of the project is to address the ongoing need to provide a reliable source of materials for highway construction and/or maintenance projects in the region. Rather than develop a new materials source at a different location or stockpile materials at a distant location, ADOT proposes to process and stockpile material at this existing materials source (if applicable).
- D. Identify Land Ownership. Identify new right-of-way or required easements.

If no new right-of-way or easements are required, use the following text:

No new right-of-way or easements are required for the operation of this materials source.

If new right-of-way or easements are required, list amounts (acreage, square feet, etc.) and land ownership.

- E. State if the materials source is to be expanded and additional acreage.
- F. Identify length and width of the haul road. Describe where the haul route (includes haul road and any additional roads used) intersects the nearest highway.

S T A T E M A P

(Show the Project Location and North Arrow)

Include on ALL maps: Materials Source Number
 Materials Source Name

VICINITY MAP

(Show the Project Location and North Arrow)

Include on ALL maps: Materials Source Number
 Materials Source Name

II. IMPACT EVALUATION

A. Natural Environment

1. Threatened and Endangered Species

Review the US Fish & Wildlife Service website to obtain the most current species list for all counties.

If the project occurs on White Mountain Apache tribal land, surveys and biological reports will be completed by the tribe. Substitute "White Mountain Apache Tribe" in place of the biologist name and firm.

If a Biological Review was written for the project, use the following text:

The U.S. Fish and Wildlife Service's list of threatened, endangered, proposed, and candidate species for _____ County was reviewed by a qualified biologist (name and firm). It was determined through a biological review that no listed species or suitable habitat will be affected by the operation of this materials source because _____ (justify why). Therefore, a Biological Evaluation (BE) will not be necessary.

If a Biological Evaluation (BE) or a Biological Assessment and Evaluation (BA&E) was written for the project, begin the discussion with the following text (for **all** projects requiring a BE or BA&E):

The U.S. Fish and Wildlife Service's list of threatened, endangered, proposed, and candidate species for _____ County was reviewed. It was determined that listed species or suitable habitat could be impacted by the operation of this materials source. Therefore, a _____ (Biological Evaluation [BE] or a Biological Assessment and Evaluation [BA&E]) has been completed by a qualified biologist (name and firm) and approved by _____ (ADOT, BLM, FS, or Tribe).

Then finish the discussion by selecting the appropriate paragraph below depending on the determination of effects:

If a BE or BA&E was written, select the appropriate paragraph below depending on your determination of effects:

If a no effect determination was made, use the following text:

It was determined through a _____ (BE or BA&E) that the materials source will not affect listed, threatened, endangered, proposed, or candidate species. The species that were analyzed in detail within the BE are _____ (list species). (In addition, briefly state why there will be no effect on the analyzed species. Also include any necessary mitigation measures here, in Section V, MITIGATION MEASURES, and in the clearance memo.)

If a may affect determination was made, use the following text:

It was determined through a _____ (BE or BA&E) that the materials source _____ (may affect, is not likely to adversely affect, or may affect, is likely to adversely affect) the following species: _____. This determination was made

because_____ (provide the following: explanation of the effects; any necessary mitigation measures; and whether a letter of concurrence or a biological opinion was written. Also Include mitigation measures in Section V, MITIGATION MEASURES, and on the clearance memo.)

Note: For federally-funded projects, any BE, BA&E, or Biological Review with a no effect determination must be included with the draft document for review.

2. Sensitive Species (discuss **only** if on federal lands)

Request a sensitive species list from the federal land-managing agency during the scoping process.

If sensitive species on the federal land-managing agency's list were analyzed in the BA&E or BE, use the following text:

The BA&E or BE prepared for this project was reviewed by the_____ (BLM/or name of National Forest). In addition to threatened, endangered, proposed, and candidate species, the BA&E or BE also addressed listed Sensitive Species of the _____(BLM/or name of National Forest). The _____ (BLM/or name of National Forest) concurred with the determination of effects to its listed sensitive species. The following species were analyzed in detail:_____ (list the species). It was determined through a BA&E or BE that this materials source _____ (state determination[s] made in the BA&E or BE, and include any necessary mitigation measures here, in Section V, MITIGATION MEASURES, and in the clearance memo).

3. Tribal Lands

If the materials source occurs on tribal lands and the tribe has further biological concerns, please discuss them here. Include this section only if necessary.

Requests for the Navajo Nation species list must be coordinated with the Environmental Planning Group (EPG) for submittal on Federal Highway Administration (FHWA) letterhead.

If the project occurs on the Navajo Nation, use the following text:

In addition to federally listed species, the Navajo Endangered Species list was also evaluated for potential impacts due to the materials source. It was determined through a BE that the materials source _____ (will/will not) affect tribal threatened or endangered species because_____ (Explain. Also include any necessary mitigation measures here, in Section V, MITIGATION MEASURES, and in the clearance memo). The Navajo Nation Department of Fish and Wildlife concurred with the determination of effects to its listed sensitive species.

4. Arizona Species of Concern

a. Special Status Species

Include a request for a species list when contacting the Arizona Game & Fish Department during the scoping process.

Do not scope the Arizona Game & Fish Department for materials sources occurring on tribal or National Park Service lands.

When a letter listing special status species is received from the Arizona Game and Fish Department (AGFD) without species mitigation, use the following text:

The Arizona Game and Fish Department (AGFD) provided a list of Wildlife of Special Concern in Arizona for consideration during the environmental analysis process for this project. ADOT has determined that no special actions are necessary during operation of the materials source for the protection of these species, and the AGFD has not requested any mitigation measures for the materials source.

If AGFD mentions species mitigation in their response letter, or does not provide a response letter, consult with the EPG biologist with responsibility for the project area.

b. Native Plants

The Arizona Native Plant Law applies to listed plants that are naturally-occurring, not landscaped or planted individuals.

Contact the Arizona Department of Agriculture on an annual basis to obtain the most current species list. The website for the Arizona Department of Agriculture is <http://agriculture.state.az.us/PSD/nativeplants.htm>.

If no existing protected native plants occur in the materials source boundaries, use the following text:

The materials source was surveyed by _____ (name and firm) for the presence of the Arizona Department of Agriculture's listed protected native plants. There are no protected native plants within the materials source boundaries; therefore, there will be no impact to any protected native plants as a result of this materials source.

If existing protected native plants occur within the materials source boundaries that will not be impacted, contact the EPG National Environmental Policy Act (NEPA) planner to discuss avoidance mitigation. Use the following text:

Protected native plants are located within the materials source boundaries; however, these plants will not be impacted by operation of the materials source because they will be avoided by the operation.

Then list avoidance mitigation, or, if no mitigation is required, explain why. Include any mitigation measures in Section V, MITIGATION MEASURES, and in the clearance memo.

If existing protected native plants occur in the project limits that will be impacted, use the following text and include in Section V, MITIGATION MEASURES, and on the clearance memo:

Protected native plants within the materials source boundary will be impacted by the development and/or operation of the materials source; therefore, the ADOT Roadside Development Section will notify the Arizona Department of Agriculture at least 60 days prior to the start of development of the materials source to afford commercial salvagers the opportunity to remove and salvage these plants.

Note: If protected native plants occur on federal lands where the Arizona Department of Agriculture has no jurisdiction, contact the appropriate land-managing agency for its requirements (Bureau of Land Management, National Forest, tribal lands). Substitute a discussion of the land-managing agency's requirements for the Arizona Department of Agriculture mitigation mentioned above.

5. Invasive Species

Note: Follow the ADOT EPG coordination process with the ADOT Natural Resources Section (NRS) to request an invasive species survey for the materials source area. Email the appropriate NRS region contact at any point during preparation of the environmental determination if threatened or endangered species are found on site.

Use the following text on **all** projects:

Based upon Executive Order 13112, dated February 3, 1999, all projects will, "subject to the availability of appropriations, and within Administration budgetary limits, use relevant programs and authorities to: i) prevent the introduction of invasive species; ii) detect and respond rapidly to, and control, populations of such species in a cost-effective and environmentally sound manner; iii) monitor invasive species populations accurately and reliably; and iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded."

Then select the appropriate paragraph below depending on presence / absence of invasive species.

If Executive Order 13112 is required, the federal land agency has the responsibility to define the mitigation measures. Coordinate with the land managers in selecting the following mitigation measures and/or incorporating the measures they define.

Select the appropriate paragraph below depending on presence/absence of invasive species. Do not include the reference to Executive Order 13112 for materials sources not on federal lands and/or not a federally-funded project.

For projects where invasive species do not occur use the following text:

The materials source area was surveyed by a qualified invasive species authority, and it was determined that there are no listed invasive species within the materials source boundaries. Therefore, this project will not result in the spread of invasive species. To prevent the introduction of invasive species, all earth-moving and hauling equipment shall be washed at the equipment storage facility prior to entering the materials site. In addition, all disturbed soils will be seeded using species native to the materials source vicinity.

For projects where invasive species do occur use the following text:

The materials source area was surveyed by a qualified invasive species authority, and it was determined that there are invasive species within the materials source boundaries (identify species and summarize information provided in the natural resources report). These species will be treated prior to development of the materials source, and any necessary treatments will continue during operation of the materials source. To prevent the spread of invasive species seed to uncontaminated areas, all

earth-moving and hauling equipment will be washed at the equipment storage facility prior to entering the materials site. In addition, all disturbed soils will be seeded using species native to the materials source vicinity.

Include the following text in Section V, MITIGATION MEASURES, and on the clearance memo:

District Maintenance Responsibilities:

All earth-moving and hauling equipment will be washed at the equipment storage facility prior to arriving on site to prevent the introduction of invasive species seed.

All disturbed soils will be seeded using species native to the materials source vicinity.

Contractor Responsibilities:

All earth-moving and hauling equipment shall be washed at the contractor's storage facility prior to arriving on site to prevent the introduction of invasive species seed.

All disturbed soils will be seeded using species native to the materials source vicinity.

6. Wetland and Riparian Areas

If there are no wetlands within the materials source vicinity, use the following language:

- There are no wetlands within the materials source vicinity; therefore, there will be no impact to wetlands as a result of development of this materials source.

If there are no riparian areas within the materials source vicinity, use the following language (xeroriparian areas are not included in this determination):

- There are no riparian areas within the materials source vicinity; therefore, there will be no impact to riparian areas as a result of development of this materials source.

Note: These may be combined into one sentence if neither is present, i.e., There are no wetlands or riparian areas within...

If there are wetlands or riparian areas within the materials source vicinity that will not be impacted, use the following text:

- There are_____ (wetlands / riparian areas) within the materials source vicinity, but these areas will be avoided by construction (include any necessary mitigation measures here, in Section V, MITIGATION MEASURES, and in the clearance memo).

If there are wetlands or riparian areas that will be impacted by the materials source, contact the ADOT EPG NEPA planner for guidance.

7. 100-Year Floodplain and Impacts

View a copy of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) and/or Flood Hazard Boundary Map (FHBM) using the FIRM Index Panel to locate the materials source area. If you cannot determine whether or not the materials source is within the

100-year floodplain, contact the county flood control district or the local floodplain manager for assistance.

If the project is within the 100-year floodplain, the floodplain agency having jurisdiction over the project area must be provided with an opportunity to review and comment on the materials source design plans.

Indicate the presence or absence of the 100-year floodplain and the impacts, using one of the following texts appropriate to the location:

Use the following text when the materials source is not within a 100-year floodplain:

A review of the Federal Emergency Management Agency Flood Insurance Rate Map for the materials source area indicates that the materials source is not located within any 100-year floodplain; therefore, there will be no involvement with any 100-year floodplain as a result of the development of this materials source.

Use the following text when the materials source is located within a 100-year floodplain and there is no impact to the 100-year floodplain:

A review of the Federal Emergency Management Agency Flood Insurance Rate Map for the project area indicates that the materials source is located within a 100-year floodplain. Impacts on floodplains typically occur when the topography within a floodplain is substantially modified either by placement or removal of materials within the floodplain. Materials will not be stockpiled or processed within the 100-year floodplain. Therefore no impacts on floodplains are anticipated.

If the materials source area is not shown on the floodplain maps, use the following statement in the text:

The materials source is in an area that has not been delineated on the Federal Emergency Management Agency Flood Insurance Rate Map for the 100-year floodplain. Impacts on floodplains typically occur when the topography within a floodplain is substantially modified either by placement or removal of materials within the floodplain. Materials will not be stockpiled or processed within the 100-year floodplain. Therefore, no impacts on floodplains are anticipated.

If the project impacts an existing floodplain, follow the requirements of "Title 23, Code of Federal Regulations (CFR), Part 650, Subpart A."

8. Section 401/404

Address Section 404 status (i.e., no involvement, covered by Nationwide Permit #14, or application for individual permit). Address 401 requirements, i.e., certified, conditional certified, or not certified.

Use the following text when the materials source does not involve Section 404 permits:

The operation of this materials source will not involve the discharge of dredged or fill material into waters of the United States; therefore, no Clean Water Act Section 404 permit or Section 401 Water Quality Certification is required.

If a Nationwide Permit with or without a Preconstruction Notification is required for the materials source or its haul road, use the following text:

This activity is authorized under the terms and conditions of the attached U.S. Army Corps of Engineers' Nationwide Permit (NWP) No. ____, at milepost(s) ____, because the project involves ____ (a road crossing) resulting in a loss of ____ (number of acres, cubic yards) jurisdictional waters. Refer to Section V, MITIGATION MEASURES, for terms and conditions of the NWP No. ____, including the 404 General Conditions.

If an individual permit is required, coordinate with the ADOT EPG NEPA planner to develop appropriate text. See Section V, MITIGATION MEASURES and follow directions under B.2.

Section 401 Water Quality Certification:

Determine if Section 401 Water Quality Certification has been certified, conditionally certified, or denied.

Section 401 Water Quality Certification is under the authority of the Arizona Department of Environmental Quality (ADEQ) except when the materials source occurs on tribal lands.

For all tribal lands, except the Fort Apache Reservation, the Section 401 Water Quality Certification is authorized by the Environmental Protection Agency. Contact Jason Brush at Environmental Protection Agency, Mail Code WTR 8, 75 Hawthorn Street, San Francisco, CA 94105, 415.972.3483.

For materials sources located within the Fort Apache Reservation, the Section 401 Water Quality Certification is authorized by the White Mountain Apache Tribe. Contact Brenda Begay at 928.338.4346, ext. 223.

Best Management Practices, or other measures that are proposed for submittal on the 401 application for minimizing impacts in the watercourse, shall be emailed to ADEQ as a WORD PERFECT attachment, if possible. The attachment should be in the form of a list of conditions. If an individual Section 401 Water Quality Certification is obtained, it must be included as an attachment.

List 401 certification requirements under Section V, MITIGATION MEASURES. See B.1. for Conditional 401 Certification, and B.2. for Individual 401 Certification.

The contact at ADEQ is Andy Travers. His phone number is 602.771.4502, and his email address is cajero-trave.andy@ev.state.az.us.

9. Parks, Recreation Areas, and Refuges

List any recreation areas, public parks, historic properties, or wildlife and waterfowl refuges in the materials source area. (Do not use 4(f) designation to describe these properties.) Describe adjacent land uses and planned development and address impact, if any. (Examples would be undeveloped land, residential, commercial, planned development.)

10. Visual Impacts

Describe the existing visual setting. This could include foreground (close-up) and distant (far-off) views.

If the materials source is on an easement from a land-managing agency with visual quality objectives, i.e., National Forest, Bureau of Land Management, include a brief description of the agency's objective for the materials source area.

Describe the impacts due to the development of the materials source.

Discuss whether or not there is any change in the visual character as a result of the development of the materials source. If the materials source is on an easement from a land-managing agency with visual quality objectives, state whether or not the objective is achieved. Contact the land-managing agency for concurrence.

Note: USDA Forest Service objectives usually include views of the materials source site, and views from on the materials source site.

11. Prime or Unique Farmlands

If there is existing farmland adjacent to the materials source that will be impacted or acquired, contact the Natural Resources Conservation Service to determine if the farmland is prime or unique, and the appropriate state or local agency to determine if it has statewide or local importance.

Use the following text for all material sources:

- Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, and other agricultural crops. Unique farmland is land other than prime farmland that is used for the production of specific high value food and fiber crops. Designation of prime or unique farmland is made by the U.S. Department of Agriculture.
- Farmland of statewide or local importance is land in addition to prime and unique farmlands that is of statewide or local importance for the production of food, feed, fiber, forage, and oilseed crops. Designation of this farmland is determined by the appropriate state or local agency.

Continue by selecting the appropriate text below.

When farmland is not located adjacent to the materials source, use the following text for both federally-funded and state-funded projects:

- There is no farmland adjacent to the materials source; therefore, there will be no impact to any prime or unique farmland or other farmland of statewide or local importance.

For state-funded projects with farmland adjacent to the project:

Describe the farmland (prime, unique, statewide, or local importance). If farmland is impacted, describe the impacts. If there are no impacts, use a negative declaration and explain why there are no impacts.

If the farmland is not prime or unique, or of statewide or local importance, use the following text:

- The existing farmland adjacent to the project has been determined by the Natural Resources Conservation Service not to be prime or unique, and by state and local agencies not to be of statewide or local importance; therefore, the project will not impact any prime or unique farmland or farmland of statewide or local importance.

If prime or unique farmland or farmland of statewide or local importance is impacted, describe the impacts and the type of farmland impacted. Process the Natural Resources Conservation Service's Farmland Conversion Impact Rating form for prime or unique farmland and attach it to the environmental document.

12. Wild and Scenic Rivers

If wild or scenic rivers are not involved in the materials source, use the following text:

There are no wild or scenic rivers in the vicinity of the materials source; therefore, there will be no impact to any wild or scenic rivers as a result of development of the materials source.

If the materials source could have foreseeable impacts on a river on the National Wild and Scenic Rivers System, coordinate with the agency responsible for managing the listed or study river (i.e., National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management, or Forest Service).

Note: Publicly-owned waters of designated wild and scenic rivers are protected by Section 4(f).

13. Sole Source Aquifer

Required **only** when the project is located in the Upper Santa Cruz and Avra Basin or Naco-Bisbee Sole Source Aquifer areas.

Reference Environmental Protection Agency (EPA), Region IX, Designated Sole Source Aquifer maps.

If the boundary is hard to define, contact Mr. Hillary Hecht, EPA San Francisco office, at 415.972.3530.

If the proposed project does not impact any sole source aquifer, use the following text:

There will be no impact to any sole source aquifer as a result of this project.

B. Physical/Construction

1. Noise Impacts

Noise will be generated by the use of crushing and earth moving equipment. However, no sensitive noise receptors are located in close proximity to the materials source site.

The project was evaluated using the “Arizona Department of Transportation’s Noise Abatement Policy, March 21, 2000. The policy was written to conform to the federal policy and guidelines as stated in “Title 23 of the Code of Federal Regulations (CFR) Part 772”. Due to the nature of the work this project involves, this project will not increase current noise levels or present a negative impact. Construction noise will be controlled in accordance with the *Arizona Department of Transportation Standard Specifications for Road and Bridge Construction*, Section 104.08 (2000 Edition), special provisions, and local rules or ordinances.

2. Air Quality Impacts

Use one of the following appropriate air quality discussions in the text:

For materials sources located in an **attainment** area:

This materials source is in an area that complies with all national ambient air quality standards. Therefore, conformity procedures do not apply to this materials source. This materials source will have no negative effect on the air quality in the area. (Refer to ADOT EPG website www.ADOTenvironmental.com for Nonattainment/Maintenance Area Maps to verify this statement.)

Some deterioration of air quality may be expected due to the operation of construction equipment and the slower traffic speeds associated with a construction zone. However, this will be a localized condition that will cease when the materials source is not in use. Fugitive dust generated from construction activities must be controlled in accordance with the *Arizona Department of Transportation Standard Specifications for Road and Bridge Construction*, Section 104.08 (2000 Edition, English), special provisions, and local rules or ordinances.

For projects located in a **non-attainment or maintenance** area that are **exempt** from conformity: (Refer to ADOT EPG website www.ADOTenvironmental.com to confirm conformity exemption.)

— The U.S. Environmental Protection Agency air quality conformity regulations provide full or partial exemption from conformity for certain types of transportation projects, as specified in “Title 40, Code of Federal Regulations (CFR), Part 51.460” and “40 CFR 51.462.” These sections are also included in Arizona conformity rules as “R-18-2-1434” and “R-18-2-1435,” respectively. The exemption list was developed to simplify the conformity process for projects with neutral air quality impacts. Federal and state conformity rules specify that states and metropolitan planning organizations should ensure that exempt projects will not interfere with transportation control measure (TCM) implementation.

- Due to the nature of the work this project requires it is exempt from conformity regulations. The project will not interfere with TCM implementation. This project will have no negative effect on the air quality in the area. This project is located in the _____ (identify nonattainment or maintenance area and pollutant[s] of concern).
- Some deterioration of air quality may be expected due to the operation of construction equipment and the slower traffic speeds associated with a construction zone. However, this will be a localized condition that will cease when the project is completed. Fugitive dust generated from construction activities must be controlled in accordance with the *Arizona Department of Transportation Standard Specifications for Road and Bridge Construction*, Section 104.08 (2000 Edition), special provisions, and local rules or ordinances.

For projects located in a **nonattainment or maintenance** area that are **not exempt** from conformity, a microscale analysis is required to assess the air quality impacts of the proposed new or improved roadway. The level of effort will vary from a simplified description to a detailed modeling analysis depending on the concentration levels.

Begin the discussion with the following text:

- This project is in an area that exceeds the national ambient air quality standards for the following pollutant(s): (List pollutants.)

Then continue with a brief discussion of the effects.

3. Construction-Related Impacts

Discuss temporary construction-related impacts such as traffic control, detours, dust abatement.

After describing construction impacts, as instructed above, add the following text to the discussion:

Traffic control will be in accordance to Part VI, of the *Manual on Uniform Traffic Control Devices for Streets and Highways*, published by the U.S. Department of Transportation, Federal Highway Administration (1993), Traffic Control Supplement (1966), and/or associated provisions in the project plans, as determined by the ADOT Traffic Design Section during design.

Note: If there is mitigation developed for construction-related impacts, include the mitigation in Section V, MITIGATION MEASURES, and the clearance memo.

4. Hazardous Materials Evaluation

Use the following statement in the text when hazardous materials are not found:

A hazardous materials site assessment was conducted for the project area. No hazardous materials concerns were identified. No further hazardous materials investigation is required. If suspected hazardous materials are encountered during construction, work shall cease at that location and the ADOT Engineer will be contacted to arrange for proper assessment, treatment, or disposal of those materials.

If hazardous materials are encountered during the evaluation, contact the Environmental Planning Group hazardous materials specialist and notify the EPG NEPA planner.

5. Arizona Pollutant Discharge Elimination System / National Pollutant Discharge Elimination System

Note: Effective **March 10, 2003**, an Arizona Pollutant Discharge Elimination System (AZPDES) or a National Pollutant Discharge Elimination System (NPDES) general permit will be required for 1 or more acres of ground disturbance. The NPDES applies only on tribal lands.

Use the following statements to address erosion / sediment control in the text of the environmental document:

If the construction project requires an AZPDES or NPDES permit, that permit also authorizes storm water discharges from support activities, such as materials sources. The contractor shall modify the Storm Water Pollution Prevention Plan (SWPPP) to include this materials source. The contractor shall provide a copy of the Notice of Intent, the SWPPP, and the Notice of Termination to the District Construction Office.

If a construction project requires an AZPDES or NPDES permit, use the following text:

Because more than 1 acre of land will be disturbed, a/an _____ (Arizona Pollutant Discharge Elimination System or National Pollutant Discharge Elimination System) construction permit will be required. The contractor shall prepare the Storm Water Pollution Prevention Plan (SWPPP). The contractor shall submit the Notice of Intent (NOI) and the Notice of Termination (NOT) to the _____ (Environmental Protection Agency or Arizona Department of Environmental Quality). The contractor shall provide copies of the SWPPP, the NOI, and the NOT to the Resident Engineer.

When the materials source will be used for maintenance purposes, use the following text:

A/an _____ (National Pollutant Discharge Elimination System or Arizona Pollutant Discharge Elimination System) industrial permit will be required. The ADOT Roadside Development Section will determine who will prepare the Storm Water Pollution Prevention Plan. The District Construction Office (or the District Maintenance Office for Materials Sources) and the contractor will submit their respective Notice of Intent and the Notice of Termination to the _____ (Arizona Department of Environmental Quality or Environmental Protection Agency).

The following statements should be used for the mitigation measures on the Environmental Determination under Section V, MITIGATION MEASURES, and on the clearance memo when an NPDES/AZPDES permit is required.

District Construction (or District Maintenance Office for Maintenance Materials Sources) Responsibilities:

The District Construction (Maintenance) Office will contact Roadside Development Section to facilitate the preparation of the Storm Water Pollution Prevention Plan. The District Construction (or District Maintenance Office for Materials Source will submit the Notice of Intent and the Notice of Termination to the _____ (Environmental Protection Agency or Arizona Department of Environmental Quality)

Roadside Development Responsibilities:

The Roadside Development Section will determine who will prepare the Storm Water Pollution Prevention Plan.

Contractor Responsibilities:

- ➡ The contractor shall submit the _____ (Arizona Pollutant Discharge Elimination System or National Pollutant Discharge Elimination System) Notice of Intent and the Notice of Termination to the _____ (Arizona Department of Environmental Quality or Environmental Protection Agency).

➡
C. Socioeconomic

1. Residential / Commercial Development and Displacement(s)

State whether or not there is residential and/or commercial development, and describe known planned development.

State if there are any commercial or residential displacements.

If there are no displacements, include a negative declaration and the reason(s) there will be no displacements.

If there are displacements, describe the type (residential or commercial) and number of displacement(s).

2. Temporary and Permanent Access

Address temporary and permanent impacts of business disruption, access change, parking restrictions, etc.

Address temporary and permanent impacts to residential neighborhoods or individual residents.

Address permanent changes in traffic service or patterns as a result of the project.

Include any mitigation here, in Section V, MITIGATION MEASURES, and in the clearance memo.

Note: The impacts could include non-vehicular access, such as pedestrians, and impacts to special events, such as fairs and parades.

3. Neighborhood Continuity / Community Cohesion

Address temporary and permanent impacts on neighborhood continuity and community cohesion. This includes residential and commercial areas and addresses how drivers, people, goods, services, etc., that move through the area are affected.

4. Title VI / Environmental Justice

For all projects begin the text for this section with the following:

“Title VI of the Civil Rights Act of 1964” and related statutes (including state-level EPG Environmental Justice Guidance) assure that individuals are not excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, and disability. *Executive Order 12898* on Environmental Justice directs that programs, policies, and activities not have a disproportionately high and adverse human health and environmental effect on minority and low-income populations.

Determine if there are any temporary, adverse, or permanent effects to any businesses, residents, or landowners. This could include effects such as access, relocations, and neighborhood continuity.

For a project that **does not** have new effects on the surrounding area, the following standard language should be used regarding Environmental Justice impacts:

Title VI of the Civil Rights Act of 1964 and related statutes assure that activities not have a disproportionately high and adverse human health and environmental effect on minority and low-income populations. The proposed project is a materials source and will not result in new impacts on the surrounding area. This will not result in any relocation of residents or businesses. Therefore, the project is not anticipated to have any disproportionately high and adverse effects on these populations. This benefits all motorists because it provides materials source materials to construct highways.

If there **are** impacts, determine if there are any protected populations. These populations include:

- Minorities – refer to census tables for correct categories,
- Low income – USDOT defines low income as a population whose median household income is at or below the Department of Health and Human Services poverty guidelines,
- Age, gender, disability.

Links for information:

US Census 2000

<http://www.census.gov/main/www/cen2000.html>

Arizona Department of Economic Security

<http://www.de.state.az.us/links/economic/webpage/page2.html>

US Department of Health and Human Services

<http://aspe.hhs.gov/poverty/03poverty.htm> or

February 7, 2003, Federal Register, Vol. 68, No. 26 pgs. 6456-6458

If there are project effects but **no** protected populations in the area, discuss the effects and conclude with a negative declaration indicating that no protected populations are present, therefore, there will be no effects to these populations.

If there are project effects and there **are** protected populations in the area, present the data in tabular form. Be sure to include data using the smallest available geographic unit for the project area.

Determine if the effects are disproportionate to any protected populations.

Note: Disproportionate impacts include discriminatory impacts.

If there are **no** disproportionate effects, discuss the impacts and conclude with an explanation of why the impacts are not disproportionate.

If the project has new effects on the surrounding area, use the ADOT “Guidance on Title VI and Environmental Justice.”

If there **are** disproportionate effects, refer to the ADOT EPG Title VI/Environmental Justice Guidance located on the ADOT EPG website. Contact the ADOT NEPA planner and the EPG Environmental Justice point of contact for assistance. Present a full analysis of the impacts and all mitigation measures.

Link for additional information:

Federal Highway Administration – Environmental Justice

<http://www.fhwa.dot.gov/environment/ej2.htm>

D. Cultural Resources

1. Survey Data

Provide survey data (when, where) if conducted and reference the report(s).

2. Archaeological/Historical Sites

State if any known archaeological/historical sites occur in the materials source limits.

Identify number of sites and/or site numbers: DO NOT list locations of specific sites.

3. Agency/SHPO Determination

Discuss agency / State Historic Preservation Office (SHPO) determination of eligibility and effect. Reference SHPO and/or other concurrence, as applicable.

4. Mitigation Measures

Discuss mitigation and/or avoidance measures. Cite project-specific mitigation in Section V, MITIGATION MEASURES, and in the clearance memo.

Conclude with the following standard specification in the text only:

If previously unidentified cultural resources are encountered during activity related to the use of this source, the Maintenance District or contractor shall stop work immediately at that location and shall take all reasonable steps to secure the preservation of those resources. The Engineer will contact the ADOT Environmental Planning Group, Historic Preservation Team at 602.712.8641, immediately and make arrangements for the proper treatment of those resources.

III. PUBLIC INVOLVEMENT

A. Agency Coordination

Note: Follow ADOT EPG's "Scoping Guidelines."

Send coordination letters to adjacent or involved federal / state and local (city engineer, county Public Works, etc.) agencies as provided in scoping guidance; i.e., Bureau of Land Management, Arizona State Land Department, Department of Public Safety, Sheriff's Office etc.

Contact the Arizona Game & Fish Department at Project Evaluation Program Supervisor, Habitat Branch, Arizona Game & Fish Department, 2221 West Greenway Road, WM-HB, Phoenix, AZ 85023.

Do not send coordination letters to U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Arizona Department of Environmental Quality, Arizona Department of Agriculture, or ADOT District Engineers.

When projects are located on tribal land, **do not** send coordination letters to state agencies, i.e., Arizona Game & Fish Department, Arizona Department of Environmental Quality, Arizona Department of Agriculture, Arizona State Land Department, etc.

When projects are located on federal land (National Forests, Bureau of Land Management, etc.) contact the land-managing agency to determine the appropriate agencies for coordination. For example, National Forests do not routinely allow plant salvage by the Arizona Department of Agriculture, but they do request coordination with the Arizona Game & Fish Department.

Note: All coordination letters and mailing lists must be approved by the ADOT EPG NEPA planner prior to mailing. Keep in mind that the same coordination letter may not be appropriate for all agencies and public listed. Additional or different information or requests may be required for some of the agencies and public.

Discuss coordination with other agencies. Summarize responses received from agencies.

List entities contacted in bullet format.

Address coordination issues in the text or reference and attach any ADOT letter written in response to an issue raised as a result of scoping.

Attach agency response letters.

B. Public Coordination

Coordinate with adjacent property owners, and non-governmental organizations as appropriate, to solicit input. Summarize responses from the public and the organizations.

List people and organizations contacted in bullet format. (Addresses are not required.) Attach a list if needed.

Review any recommendations for public notification (such as a local construction notice) and develop mitigation measures as appropriate.

If property owners are to be notified prior to construction, include and identify the responsible party in Section V, MITIGATION MEASURES, and in the clearance memo.

C. Public Meetings

Give the date and location of any public meetings, forums, and summarize comments.

IV. ACTION REQUIRED

Bureau of Land Management Projects: Categorical Exclusion Group 2 ____
Programmatic ____
Non-Programmatic ____

State-Funded Projects: Environmental Clearance ____

V. MITIGATION MEASURES (if applicable)

Include specific mitigation measures exactly as stated in previous text. These need to provide clear direction to construction personnel as to the steps to be taken to implement the measure(s). Do not include measures that are a part of ADOT's standard specifications, such as "When archaeological . . . are discovered . . ., the contractor shall stop work immediately at that location . . ."

These measures must be written in a format that Contracts and Specifications Section, design, and construction personnel can implement. These measures shall be separated into:

Design Responsibilities
District Construction (Maintenance) Responsibilities
Contractor Responsibilities
Any other applicable categories

Use the word "**attached**" for any enclosures that will be included in the special provisions for the project, i.e., the **attached** NWP #14, the **attached** Tortoise Handling Guidelines, etc. This word is required in the text, clearance memo, and mitigation measures summary.

Use the word **will** when **ADOT personnel** are to perform a function.

Use the word **shall** when the **contractor** is to perform a function.

VI. CLEARANCE

Prepared By: Original Signature* Date: _____
Type Name of Preparer
Type Name of Firm or Agency

Reviewed By: Original Signature* Date: _____
Type Name of Consultant Project Manager
Type Name of Firm or Agency

Approved By: Signature Date: _____
Richard M. Duarte
Manager

***Sign and date each submittal.**

VII. ATTACHMENTS

- State and vicinity maps (**place maps up front after Project Description page**)
- Attachments can include, but are not limited to:
 - Agency correspondence (cultural clearance, Arizona Game and Fish Department, etc.)
 - Mitigation Plan
 - Agency and public response letters
 - BA&E signature page or concurrence letter
 - BE signature page
- Project diagrams and illustrations